



PATENT

Attorney Docket No. 249.304

Express Mail Label No. EV439462897US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Joseph S. Bieganeck, Thomas R. Hetzel, and Joan Padgitt
Serial No. : 10/628,890
Filed : July 28, 2003
Title : APPARATUS AND METHOD FOR EVALUATING
CLEARANCE FROM A CONTOURED SEAT CUSHION

Group Art Unit : 2859
Confirmation No. : 3853
Examiner : Yaritaz Guadalupe

CERTIFICATE OF MAILING BY EXPRESS MAIL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the attached Amendment Transmittal Letter; Amendment and Response to First Office Action; Certificate of Mailing by Express Mail; and Return Card, relating to the above application, were deposited as "Express Mail," Mailing Label No. EV439462897US, with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30 day of September, 2004.

9/30/04
Date

9/30/04
Date

Nathaniel M. Porter
Mailer

John R. Ley
Registration No. 27,453
ATTORNEY FOR APPLICANT

Customer No. 28785

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AMENDMENT TRANSMITTAL LETTER

IN RE THE APPLICATION OF: Joseph S. Bieganeck, Thomas R. Hetzel, and Joan Padgitt

SERIAL NO: 10/628,890

DATE FILED: July 28, 2003

FOR: APPARATUS AND METHOD FOR EVALUATING CLEARANCE FROM A CONTOURED SEAT CUSHION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

TRANSMITTED HERewith IS AN AMENDMENT IN THE ABOVE-IDENTIFIED APPLICATION

☒ Amendment and Response to First Office Action

FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

| | (COL. 1) CLAIMS REMAINING AFTER AMENDMENT | (COL. 2) HIGHEST NO. PREVIOUSLY PAID FOR | (COL. 3) PRESENT EXTRA | SMALL ENTITY | | | LARGE ENTITY | |
|---|---|---|------------------------------|--------------|-------------------|----|--------------|-------------------|
| | | | | RATE | ADDITIONAL FEE | | RATE | ADDITIONAL FEE |
| TOTAL: | 27* | - 27 | 0** | X \$9 = | \$0.00 | OR | X \$18 = | \$0.00 |
| INDEP: | 1* | - 3 | 0*** | X \$44 = | \$0.00 | OR | X \$88 = | \$0.00 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | + \$150 = | | OR | + \$300 = | |
| ADDITIONAL FEES | | | | TOTAL: | \$0.00 | OR | TOTAL: | \$0.00 |

*IF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.

**IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

***IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.

☐ A CHECK IN THE AMOUNT OF \$_____ FOR THE ADDITIONAL FEES.

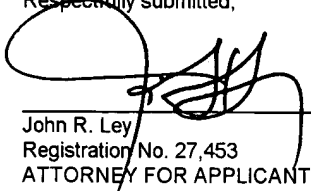
☒ THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 12-1087. **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

☒ ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.

☒ ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.

Dated at Greenwood Village, Colorado, this 30th day of September, 2004.

Respectfully submitted,


John R. Ley
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10-01-04

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AMENDMENT AND RESPONSE TO First OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 30, 2004, please amend the application as set forth below in the following Two Parts of this Amendment and Response.

IN THE CLAIMS:

Amend claims 12 and 27.

Part 1 hereof presents the pending claims with markings to indicate the changes.

REMARKS

Part 2 comments on the above amendments, and the June 30, 2004 office action.